

PLAINTIFFS' EXHIBIT 5

In The Case Of

*Victoria A. Amelina, an individual; and A.A.; D.S and B.S., each
individuals and minors by and through their Guardian Ad Litem, Victoria
A. Amelina*

v.

*Manufacturers and Traders Trust Company aka M&T Bank, Safeguard
Properties, LLC, and The Wolf Law Firm, A Law Corporation*

14-cv-1906-WQH-NLS

Bank of America**Home Loans**

P. O. Box 940335
 Simi Valley, CA 93094-0335



AT1 -772-80706-0000711-001-1-000-000-000-000

MORTGAGOR(s): VICTORIA AMELINA
 1355 NICOLETTE AVE UNIT 1313
 CHULA VISTA, CA 91913-3980

Notice Date: May 20, 2013

Account No.: 216132431

Property Address:
 1355 Nicolette Ave Unit 1313
 Chula Vista, CA 91913-3980

Dear VICTORIA AMELINA:

You are receiving this notice because your mortgage is in default, and your property will be referred to foreclosure. Bank of America, N.A. is required to notify you of the following:

1. Standing:

Bank of America, N.A. services the mortgage loan on your property located at the address referenced above. You signed and executed a promissory note secured by a mortgage or deed of trust ("the security instrument") in which you agreed to repay your debt at agreed upon terms. Because you have not fulfilled the terms of this agreement, Bank of America, N.A. intends to initiate foreclosure action on the mortgaged property. The foreclosure will be conducted in the name of: BANK OF AMERICA, N.A. ("Noteholder").

Noteholder, directly or through an agent, has possession of the promissory note. The promissory note is either made payable to Noteholder or has been duly endorsed. Noteholder is the original mortgagee or beneficiary or the assignee of the security instrument for the referenced loan.

2. Account Status as of May 19, 2013:

- A. The total amount needed to reinstate or to bring the account current is \$7,442.64. Please note this amount is subject to change. Please call us for the most current amount.
- B. The amount of the principal obligation under the mortgage is \$228,965.09.
- C. The date through which the account is paid is January 1, 2013.
- D. The date of the last full payment was March 29, 2013.
- E. The current interest rate in effect for the loan is 4.125.
- F. The date on which the interest rate may next reset or adjust is July 1, 2015.
- G. The amount of any prepayment fee (not included in the reinstatement amount) to be charged if any is Not Applicable.
- H. The amount of late payment fees included in the above reinstatement amount is \$349.66.

This communication is from Bank of America, N.A., the servicer of your home loan.

Bank of America, N.A. is required by law to inform you that this communication is from a debt collector.

3. Availability of Loss Mitigation Options:

Unless you have directed us not to contact you, Bank of America, N.A. has made good faith efforts to contact you by telephone and/or mail to review your eligibility for alternatives to foreclosure. According to our records, with respect to this event of default:

We have been unable to contact you or we have not yet received a complete initial package / borrower response package from you to consider you for a loan modification.

If your circumstances have changed, if you believe that your application for a modification was denied in error, or if you would like to discuss alternatives to foreclosure including a loan modification, please contact us immediately at 1-888-325-5340, Monday-Friday 7a.m. - 7p.m. Local Time.

4. Borrowers Responsibilities:

- A. If you continue to occupy the property, you have the responsibility to maintain the property and an obligation to continue paying taxes owed until a sale or title transfer occurs.
- B. If you wish to surrender the property, you must contact Bank of America, N.A. to discuss alternatives to foreclosure under which you may, if eligible, surrender the property to Bank of America, N.A. in exchange for compensation.

5. Additional Account Information:

Upon written request, you are entitled to the following information:

- A. A copy of your payment history from the period the mortgage loan was last less than 60 days delinquent to present.
- B. A copy of the promissory note or lost note affidavit where applicable.
- C. The name of the current investor that holds the loan.
- D. If we have initiated foreclosure or filed a Proof of Claim, you may obtain copies of any assignments of mortgage or deed of trust required to demonstrate our right to foreclose under applicable state law.
- E. A copy of the borrower's deed of trust or mortgage.

Submit a written request to:
Bank of America, N.A.
P. O. Box 940335
Simi Valley, CA 93094-0335

We understand that this may be a difficult time for you and that you may have questions about the foreclosure process. If you have questions, or to obtain information regarding your mortgage, please call us at 1-888-325-5340, Monday-Friday 7a.m. - 7p.m. Local Time.

Bank of America, N.A. also offers homeownership counseling services to borrowers in some areas. Counseling is also available through a variety of nonprofit organizations that are approved by the Secretary of Housing and Urban Development (HUD) and experienced in homeownership counseling. A listing of these organizations may be obtained by calling HUD toll-free at 1.800.569.4287 or by visiting www.hud.gov.

Bank of America, N.A.
Home Loan Team

IMPORTANT DISCLOSURES

BK Statement:

If you are currently in a bankruptcy proceeding, or have previously obtained a discharge of this debt under applicable bankruptcy law, this notice is for information only and is not an attempt to collect the debt, a demand for payment, or an attempt to impose personal liability for that debt. You are not obligated to discuss your home loan with us or to enter into a loan modification or other loan-assistance program. You should consult with your bankruptcy attorney or other advisor about your legal rights and options.



SCRA Disclosure:

MILITARY PERSONNEL/SERVICEMEMBERS: If you or your spouse is a member of the military, please contact us immediately. The federal Servicemembers Civil Relief Act and comparable state laws afford significant protections and benefits to eligible military service personnel, including protections from foreclosure as well as interest rate relief. For additional information and to determine eligibility please contact our Military Assistance Team toll free at 1.877.430.5434. If you are calling from outside the U.S. please contact us at 1.817.685.6491.

Mini Miranda (all):

Bank of America, N.A., the servicer of your home loan, is required by law to inform you that this communication is from a debt collector.